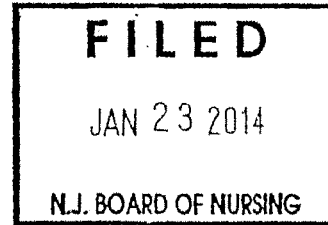


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By: Pavithra Angara
Deputy Attorney General
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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

ADMINISTRATIVE ACTION

Sylvia Weshnak, R.N.
LICENSE NO. 26NR01910500

CONSENT ORDER

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

The New Jersey State Board of Nursing is charged with the duty and responsibility of regulating the practice of nursing in the State of New Jersey pursuant to the Nurse Practice Act, N.J.S.A. 45:11-1 et seq. and regulations set forth in N.J.A.C. 13:37-14.1 et seq.

Pursuant to N.J.S.A. 45:11-23, all homemaker-home health aides ("CHHA") are required to be certified by the Board as they are performing nursing tasks delegated by a licensed registered professional nurse. N.J.A.C. 13:37-6.2 requires that the registered professional nurse shall be responsible for exercising that degree of judgment and knowledge reasonably expected to assure that a proper delegation has been made including that a registered professional nurse may not delegate the performance of a nursing task to persons who have not been adequately prepared by verifiable training and education.

Sylvia Weshnak ("Respondent") holds New Jersey license 26NR01910500 as a Registered Nurse with the Board. Beginning in 2011, Respondent worked as the Nursing Supervisor and Director of Nursing for TLC Network, Inc. d/b/a Homewatch Caregivers, in Princeton, New Jersey.

Through its investigation, the Board has determined that while serving as the Nursing Supervisor of TLC Network, Inc. d/b/a Homewatch Caregivers, Respondent engaged in multiple violations of N.J.S.A. 45:11-23 and N.J.A.C. 13:37-6.2 by failing to ensure that aides assigned to clients who required personal care were Certified Homemaker-Home Health Aides; failing to formalize adequate Plans of Care; failing to confirm and document that the care provided did not exceed the scope of the delegated tasks and procedures; and/or that the delegated tasks were performed in a satisfactory manner.

Given the above, the Board finds that Respondent engaged in multiple acts of professional misconduct pursuant to N.J.S.A. 45:1-21(e) and/or has violated the statutes and/or regulations governing the practice of nursing pursuant to N.J.S.A. 45:1-21(h).

The parties being desirous of resolving this matter, and the Board, being satisfied that entry of the within Order obviates the need for formal proceedings, and being further satisfied that the within disposition is adequately protective of the public health, safety and welfare, and for good cause shown

IT IS, therefore, ON THIS 23rd day of January, 2014, ORDERED and AGREED that:

1. Respondent is hereby reprimanded for professional misconduct and violating the statutes and/or regulations governing the practice of nursing.
2. Respondent is assessed an aggregate civil penalty of \$3,500 pursuant to N.J.S.A.

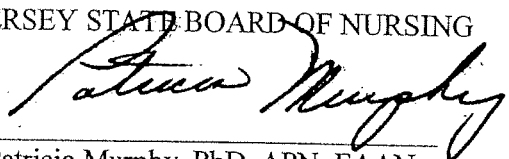
45:1-25 for the violations described herein. Payment shall be made by money order or other certified funds payable to the Treasurer, State of New Jersey, and forwarded to the attention of George Hebert, Executive Director of the Board of Nursing, 124 Halsey Street, 6th Floor, P.O. Box 45027, Newark, NJ 07101.

3. Respondent shall reimburse the Board's investigative costs and fees totaling \$5,947.79 pursuant to N.J.S.A. 45:1-25(d). The payment of said costs and fees shall be suspended provided that Respondent complies with the terms of this Consent Order and the rules and regulations governing the practice of nursing in the State of New Jersey.

4. The Board shall retain jurisdiction to enforce the terms of this Order. Upon receipt of any reliable information indicating that Respondent has violated any term of this Order, the Board reserves the right to bring further disciplinary action.

NEW JERSEY STATE BOARD OF NURSING

By:

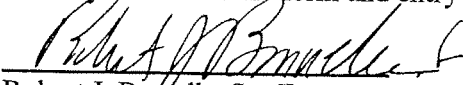

Patricia Murphy, PhD, APN, FAAN
President

I have read and understood the within Order and agree to be bound by its terms.


Sylvia Weshnak, R.N.

1/17/14
Date

I hereby consent to the form and entry of this Order.


Robert J. Boffelle, Sr., Esq.
Counsel to Sylvia Weshnak, R.N.

1/17/14
Date